

Mar 02, 2020

SEAN F. McAVOY, CLERK

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF WASHINGTON

CHRISTOPHER MICHAEL LOVE,

Plaintiff,

v.

NAPHCARE MEDICAL  
DEPARTMENT, SPOKANE  
COUNTY DETENTION CENTER, and  
STATE,

Defendants.

No. 2:19-cv-00320-SMJ

**ORDER DISMISSING ACTION**

By Order filed November 19, 2019, the Court advised Plaintiff of the deficiencies of his complaint and directed him to amend or voluntarily dismiss within sixty days. ECF No. 7. A copy of the Order was sent to Plaintiff at the Spokane County Correctional Center but was returned as undeliverable on November 22, 2019. ECF No. 8. It was then sent to Plaintiff at the Benton County Correctional Center and returned as undeliverable on December 4, 2019. ECF No. 10.

The Court may dismiss an action if mail directed to a *pro se* plaintiff has been returned by the Postal Service and the plaintiff fails to notify the Court and opposing

1 parties within 60 days thereafter of his current mailing address. LCivR 41(b)(2).  
2 The Court has an interest in managing its docket and in the prompt resolution of  
3 civil matters. *See Destifino v. Reiswig*, 630 F.3d 952, 959 (9th Cir. 2011) (affirming  
4 district court’s inherent power to control its docket); *see also Pagtalunan v. Galaza*,  
5 291 F.3d 639, 642–44 (9th Cir. 2002) (discussing factors to consider in dismissing  
6 claims for failure to prosecute or comply with court order, including public’s  
7 interest in expeditious resolution, court’s need to manage docket, and risk of  
8 prejudice to defendants).

9 Plaintiff has not kept the Court apprised of his current address and has filed  
10 nothing further in this action. More than sixty days have elapsed since Plaintiff’s  
11 mail was returned to this Court as undeliverable. Accordingly, the Court dismisses  
12 Plaintiff’s case for failure to keep the Court advised of his current mailing address.  
13 LCivR 41(b)(2).

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1 Accordingly, **IT IS HEREBY ORDERED:**

2 This action is **DISMISSED WITHOUT PREJUDICE** pursuant to  
3 LCivR 41(b)(2).

4 **IT IS SO ORDERED.** The Clerk's Office is directed to enter this Order,  
5 enter judgment, provide copies to Plaintiff at his last known address and close the  
6 file. The Court certifies any appeal of this dismissal would not be taken in good  
7 faith.

8 **DATED** this 2nd day of March 2020.

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10 SALVADOR MENDOZA, JR.  
United States District Judge